

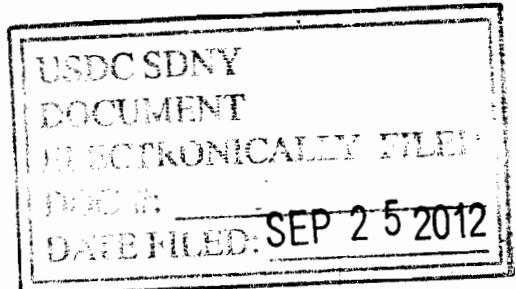
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September 20, 2012

BY FACSIMILE [(212) 805-0426]

The Honorable Laura Taylor Swain
 United States District Judge
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

MEMO ENDORSED

Re: United States v. Daniel Valdez,
S12 10 Cr. 905 (LTS)

Dear Judge Swain:

This letter is submitted on behalf of Daniel Valdez, whom I represent by CJA appointment in the above-entitled matter, in regard to his sentencing, which was just today rescheduled by the Court for October 25, 2012. As set forth in my September 19, 2012, letter to the Court, I will not be available for sentencing on the appointed date because I am scheduled to be out of the country beginning October 22, 2012, for a two-week period, to conduct Rule 15 depositions in *United States v. Basaaly Moalin*, 10 Cr. 4246 (JM). It is respectfully requested that the Court adjourn Mr. Valdez's sentencing until November 9, 13, or 14, 2012, dates which my associate Lindsay A. Lewis, Esq., informed me may be available to the Court based on her phone call with chambers on this matter that took place earlier today.

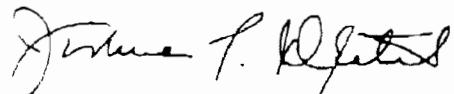
In addition, Ms. Lewis received a voicemail from Assistant United States Attorney Jessica Ortiz, informing her that the government consents to the adjournment of Mr. Valdez's sentencing.

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Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
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Accordingly, it is respectfully requested that the Court adjourn Mr. Valdez's sentencing until November 9, 13, or 14, 2012, at a time convenient for the Court.

Respectfully Submitted,



Joshua L. Dratel

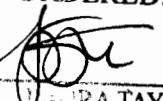
JLD/lal

cc: Assistant United States Attorney Amie N. Ely (by facsimile)

*The sentencing is adjourned to November 14, 2012,
at 3:30 pm.*

SO ORDERED.

NEW YORK, NY


Sept 24, 2012 Laura Taylor Swain
UNITED STATES DISTRICT JUDGE